

**SENATE JOURNAL  
61ST LEGISLATURE  
SIXTH LEGISLATIVE DAY**

Helena, Montana  
January 12, 2009

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Story presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. President: We, your committee on Senate Bills and Journal, having examined the daily journals for the first, second, third, and fourth legislative days, find the same to be correct.

Senator Curtiss, Chair

**REPORTS OF STANDING COMMITTEES**

**Correctly engrossed: SB 45, SJR 1, SR 1.**

**STATE ADMINISTRATION** (Shockley, Chairman):  
**SB 24**, do pass. Report adopted.

1/12/2009

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Balyeat, Chairman):  
**SB 42**, introduced bill, be amended as follows:

1/12/2009

1. Page 1, line 30 through page 2, line 1.

**Strike:** "meeting" on page 1, line 30 through "2-15-1707(3)(a)" on page 2, line 1

2. Page 2, line 2.

**Following:** "judge"

**Insert:** "and who prior to being put on the list of potential substitutes have been admitted to the practice of law in Montana for at least 5 years, currently reside in Montana, and have resided in the state for 2 years"

And, as amended, do pass. Report adopted.

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate bills were introduced, read first time, and referred to committees:

**SB 197**, introduced by Laslovich, referred to Judiciary.

**SB 198**, introduced by Lewis, Lake, referred to Taxation.

**SB 199**, introduced by Cooney, Kaufmann, Lewis, Cohenour, Miller, Hunter, Hollenbaugh, Caferro, Hiner, Menahan, referred to State Administration.

**SB 200**, introduced by Erickson, Hands, referred to Natural Resources.

**SB 201**, introduced by Laslovich, Stewart-Peregoy, Pease-Lopez, Roundstone, Belcourt, referred to Natural Resources.

**SB 202**, introduced by Hinkle, Hendrick, Jackson, Gebhardt, Murphy, Debby Barrett, Zinke, Ankney, referred to Fish and Game.

**SB 203**, introduced by Shockley, referred to Highways and Transportation.

The following Senate resolution was introduced, read first time, and referred to committee:

**SJR 14**, introduced by Larsen, referred to State Administration.

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**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Senator Peterson moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator McGee in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 10** - Senator Perry moved **SB 10** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 25** - Senator Wanzenried moved **SB 25** do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 39** - Senator Juneau moved **SB 39** do pass.

**SB 39** - Senator Debby Barrett moved **SB 39**, second reading copy, be amended as follows:

1. Page 2, line 12.

**Strike:** "60"

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**Insert: "24"**

2. Page 2, line 20.

**Strike: "60"**

**Insert: "24"**

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Zinke, Mr. President.

Total 47

Nays: Kaufmann, Keane, Windy Boy.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 39** - Senator Juneau moved **SB 39**, as amended, do pass. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Peterson moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Story in the chair. Chairman McGee moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

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Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SPECIAL ORDERS OF THE DAY**

Senator Tropila urged members to visit the informational display in the Rotunda for the Montana National Guard.

**LEGISLATIVE ADMINISTRATION** (Curtiss, Chairman): 1/12/2009

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 1:00 p.m., Saturday, January 10, 2009:

<u>TITLE</u>	<u>NAME</u>
Pages:	Sarah Laszloffy, Laurel Shelisa Craig, Carter Sterling Veltkamp, Stevensville

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, January 12, 2009:

<u>TITLE</u>	<u>NAME</u>
Pages:	Jonathan Habel, Clancy Kaitlyn Nolte, Colstrip Chris Sobonya, Helena

Report Adopted.

Senator Barkus introduced Pages for the week of January 12-17, 2009.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Senator Peterson announced the Republican caucus would meet upon adjournment.

Majority Leader Peterson moved that the Senate adjourn until 1:00 p.m., Tuesday, January 13, 2009. Motion carried.

Senate adjourned at 1:31 p.m.

MARILYN MILLER  
Secretary of the Senate

ROBERT STORY  
President of the Senate